



General Assembly

February Session, 2000

Amendment

LCO No. 4406

Offered by:
REP. FOX, 144th Dist.

To: Subst. House Bill No. 5851 File No. 609 Cal. No. 457

"An Act Concerning The Solicitation Of Charitable Funds Act, The State Liquor Control Act, Home Improvement Contractors, Real Estate Appraisers, And Technical Revisions To Statutes Within Titles 20, 21 And 21a Of The General Statutes."

1 Strike lines 1 to 1777, inclusive, in their entirety and renumber the
2 remaining sections accordingly

3 Strike lines 1787 to 1866, inclusive, in their entirety, substitute the
4 following in lieu thereof and renumber the remaining sections
5 accordingly:

6 "Sec. 60. Section 20-500 of the general statutes is repealed and the
7 following is substituted in lieu thereof:

8 As used in sections 20-500 to 20-528, inclusive, as amended by this
9 act, unless the context otherwise requires:

10 (1) "Appraisal Foundation" means the not-for-profit corporation
11 referred to in Section 1121 of Title XI of FIRREA.

12 (2) "Certified appraiser" means a person who has satisfied the
13 minimum requirements for a category of certification established by
14 the commission by regulation. Such minimum requirements shall be
15 consistent with guidelines established by the Appraisal Qualification
16 Board of the Appraisal Foundation. The categories of certification shall
17 include, but may be modified by the commission thereafter, one
18 category denoted as "certified residential appraiser" and another
19 denoted as "certified general appraiser".

20 (3) ["Tenured appraiser"] "Limited appraiser" means a person who
21 held a real estate appraisal license as of January 1, 1991, and has
22 satisfied the minimum requirements for a license as a [tenured] limited
23 appraiser as established by the commission by regulation. The
24 categories of [tenured] limited appraisal shall include one category
25 denoted as ["tenured"] "limited residential appraiser" and another
26 denoted as ["tenured"] limited general appraiser".

27 (4) "Commission" means the Connecticut Real Estate Appraisal
28 Commission appointed under the provisions of section 20-502, as
29 amended by this act.

30 (5) "Engaging in the real estate appraisal business" means the act or
31 process of estimating the value of real estate for a fee or other valuable
32 consideration.

33 (6) "FIRREA" means the Financial Institutions, Reform, Recovery
34 and Enforcement Act of 1989, P.L. 101-73, 103 Stat. 183.

35 (7) "Licensed appraiser" means a person who has satisfied the
36 minimum requirements for a category of licensing, other than licensed
37 [tenured] limited appraiser, established by the commission by
38 regulation. Such minimum requirements may be consistent with
39 guidelines established by the Appraisal Qualification Board of the
40 Appraisal Foundation. The categories of licensing shall include, but
41 may be modified by the commission thereafter, one category denoted
42 as "licensed residential appraiser" and another denoted as "licensed
43 general appraiser".

44 (8) "Person" means any individual. [, partnership, association,
45 limited liability company or corporation.]

46 (9) "Provisional appraiser" means a person engaged in the business
47 of estimating the value of real estate for a fee or other valuable
48 consideration under the supervision of a licensed or certified real
49 estate appraiser and who meets the minimum requirements, if any,
50 established by the commission by regulation for provisional appraiser
51 status.

52 (10) "Real estate appraiser" means a person engaged in the business
53 of estimating the value of real estate for a fee or other valuable
54 consideration.

55 Sec. 61. Section 20-501 of the general statutes is repealed and the
56 following is substituted in lieu thereof:

57 (a) No person shall act as a real estate appraiser or provisional
58 appraiser or engage in the real estate appraisal business without the
59 appropriate certification, license, [tenured] limited license or
60 provisional license issued by the commission, unless exempted by the
61 provisions of sections 20-500 to 20-528, inclusive, as amended by this
62 act.

63 [(b) Partnerships, associations or corporations may be granted a
64 certification or license to engage in the real estate appraisal business
65 provided every member or officer of such partnership, association or
66 corporation who actively participates in its real estate appraisal
67 business is a certified or licensed appraiser.]

68 (b) No person licensed as a limited appraiser shall perform an
69 appraisal in connection with a federally related transaction, as defined
70 in FIRREA. Limited appraiser licenses and renewals of such limited
71 appraiser licenses issued pursuant to the provisions of this chapter
72 shall expire no later than September 30, 2006. No limited appraiser
73 licenses shall be issued or renewed on or after October 1, 2006.

74 Sec. 62. Section 20-502 of the general statutes is repealed and the
75 following is substituted in lieu thereof:

76 (a) There is created in the Department of Consumer Protection the
77 Connecticut Real Estate Appraisal Commission.

78 (b) The commission shall consist of eight persons, electors of the
79 state, appointed by the Governor. Five of the members shall be
80 certified appraisers. Three of the members shall be public members.
81 Not more than a bare majority of the commission shall be members of
82 the same political party and there shall be at least one member from
83 each congressional district.

84 (c) The members of the commission shall serve until the expiration
85 of the term for which they were appointed and until their successors
86 have qualified. Members shall not be compensated for their services
87 but shall be reimbursed for necessary expenses incurred in the
88 performance of their duties. The Governor may remove any
89 commissioner for cause upon notice and an opportunity to be heard.
90 Upon the death, resignation or removal of a member, the Governor
91 shall appoint a successor to serve for the unexpired portion of the
92 vacated term and until [his] such successor's successor is appointed
93 and qualifies. Each member shall, before entering upon [his] such
94 member's duties, take and file with the commission, an oath faithfully
95 to perform the duties of [his] such member's office.

96 Sec. 63. Section 20-503 of the general statutes is repealed and the
97 following is substituted in lieu thereof:

98 (a) Within thirty days after the appointment of the members of the
99 commission, the commission shall meet in the city of Hartford for the
100 purpose of organizing by selecting such officers other than a chairman
101 as the commission may deem necessary and appropriate. A majority of
102 the members of the commission shall constitute a quorum for the
103 exercise of the powers or authority conferred upon it.

104 (b) (1) The commission shall authorize the Department of Consumer

105 Protection to issue certification, licenses, [tenured] limited licenses and
106 provisional licenses to real estate appraisers.

107 (2) The commission shall administer the provisions of sections 20-
108 500 to 20-528, inclusive, as amended by this act, as to certification,
109 licensing, [tenured] limited licensing, provisional licensing and
110 issuance, renewal, suspension or revocation of certifications, licenses,
111 [tenured] limited licenses and licenses concerning the real estate
112 appraisal business.

113 (c) The commission shall be provided with the necessary office
114 space in Hartford by the Commissioner of Public Works and the
115 commission and all files, records and property of the commission shall
116 at all times be and remain therein, except that inactive files shall be
117 stored at a location designated by the commission.

118 (d) The commission shall hold meetings and hearings in Hartford,
119 in space provided by the Commissioner of Administrative Services, or
120 at such places outside of Hartford as shall be determined by the
121 chairman of the commission. The commission shall meet at least once
122 in each three months' period and may meet more often on call of its
123 chairman. The chairman of the commission shall call a meeting of the
124 commission whenever requested to do so by a majority of the
125 members of the commission.

126 (e) The commission shall vote on all matters requiring a decision
127 and votes shall be recorded in the commission's minutes.

128 Sec. 64. Section 20-504 of the general statutes is repealed and the
129 following is substituted in lieu thereof:

130 The Commissioner of Consumer Protection, with advice and
131 assistance from the commission, may adopt such reasonable
132 regulations, in accordance with chapter 54, as the commissioner deems
133 necessary to carry out the provisions of sections 20-500 to 20-528,
134 inclusive, as amended by this act. Such regulations shall, at a
135 minimum, address real estate appraiser qualifications, continuing

136 education, discipline, real estate appraiser certification, licensing,
137 [tenured] limited licensing and provisional licensing applications and
138 renewals and shall require any real estate appraiser to comply with
139 generally accepted standards of professional appraisal practice as
140 described in the Uniform Standards of Professional Appraisal Practice
141 issued by the Appraisal Standards Board of the Appraisal Foundation
142 pursuant to Title XI of FIRREA. The regulations shall further require
143 (a) any real estate appraiser who wishes to enter in or upon any
144 premises not the subject of appraisal for purposes of estimating the
145 value of comparable real estate to (1) obtain the permission of the
146 owner or occupier of the premises and [to] (2) identify himself or
147 herself as an appraiser and (b) that a limited appraiser shall in any
148 written statement, including contracts, stationary and business cards,
149 state that such limited appraiser shall not perform an appraisal in
150 connection with a federally related transaction, as defined in FIRREA.

151 Sec. 65. Section 20-505 of the general statutes, as amended by section
152 8 of public act 99-51 and section 21 of public act 99-145, is repealed and
153 the following is substituted in lieu thereof:

154 The chairperson of the commission shall be bonded under the
155 provisions of section 4-20, as amended, in such sum as the State
156 Insurance and Risk Management Board may prescribe, with the
157 condition that the chairperson faithfully perform the duties of the
158 office and account for all funds received pursuant to the office.

159 Sec. 66. Section 20-507 of the general statutes is repealed and the
160 following is substituted in lieu thereof:

161 A certified, licensed, [tenured] limited or provisional appraiser shall
162 not be considered an employee under the provisions of section 31-275,
163 as amended, if substantially all of the remuneration for the services
164 performed by such appraiser, whether paid in cash or otherwise, is
165 directly related to sales or other output rather than to the number of
166 hours worked, and such services are performed by the appraiser
167 pursuant to a written contract that contains the following provisions:

168 (1) The appraiser, for purposes of workers' compensation, is
169 engaged as an independent contractor associated with the person for
170 whom services are performed;

171 (2) The appraiser shall not receive any remuneration related to the
172 number of hours worked, and shall not be treated as an employee with
173 respect to such services for purposes of workers' compensation;

174 (3) The appraiser shall be permitted to work any hours [he] the
175 appraiser chooses;

176 (4) The appraiser shall be permitted to work out of [his] the
177 appraiser's own home or the office of the person for whom services are
178 performed;

179 (5) The appraiser shall be free to engage in outside employment;

180 (6) The person for whom the services are performed may provide
181 office facilities and supplies for the use of the appraiser, but the
182 appraiser shall otherwise pay [his] the appraiser's own expenses,
183 including, but not limited to, automobile, travel and entertainment
184 expenses; and

185 (7) The contract may be terminated by either party at any time upon
186 notice given to the other.

187 Sec. 67. Section 20-508 of the general statutes is repealed and the
188 following is substituted in lieu thereof:

189 Any person possessing the qualifications prescribed in sections 20-
190 500 to 20-528, inclusive, as amended by this act, and in any regulations
191 adopted in conformity with said sections, who desires to engage in the
192 real estate appraisal business shall make application to the
193 commission, in writing, as provided in section 20-509, as amended by
194 this act, for the specific certification, license, [tenured] limited license
195 or provisional license desired.

196 Sec. 68. Section 20-509 of the general statutes is repealed and the

197 following is substituted in lieu thereof:

198 (a) Certifications, licenses, [tenured] limited licenses and provisional
199 licenses under sections 20-500 to 20-528, inclusive, as amended by this
200 act, shall be granted only to persons who bear a good reputation for
201 honesty, truthfulness and fair dealing and who are competent to
202 transact the business of a real estate appraiser in such manner as to
203 safeguard the interests of the public.

204 (b) Each application for a certification, license, [tenured] limited
205 license or provisional license under said sections, or for a renewal
206 thereof, shall be made in writing, on such forms and in such manner as
207 is prescribed by the Department of Consumer Protection and
208 accompanied by such evidence in support of such application as is
209 prescribed by the commission. The commission may require such
210 information with regard to an applicant as the commission deems
211 desirable, with due regard to the paramount interests of the public, as
212 to the honesty, truthfulness, integrity and competency of the applicant,
213 [and, where the applicant is a corporation, association or partnership,
214 as to the honesty, truthfulness, integrity and competency of the officers
215 of such corporation or the members of such association or
216 partnership.]

217 (c) Fees for applications under this section shall be paid to the
218 commission as follows: [Sixty] Forty-five dollars for certification; forty
219 dollars for licensing; forty dollars for [tenured] limited licensing and
220 forty dollars for provisional licensing. The payment of an application
221 fee shall entitle an applicant who otherwise meets the appropriate
222 requirements established by the commission to take the appropriate
223 written examination, where applicable, four times within the one-year
224 period from the date of payment. In addition to the application fee,
225 applicants taking an examination administered by a national testing
226 service shall be required to pay directly to such testing service an
227 examination fee covering the cost of such examination.

228 Sec. 69. Section 20-511 of the general statutes is repealed and the

229 following is substituted in lieu thereof:

230 (a) In order to obtain a certification, license, [tenured] limited license
231 or provisional license, persons who have met, to the satisfaction of the
232 commission, the minimum requirements established by the
233 commission for such certification, license, [tenured] limited license or
234 provisional license, shall pay to the commission, in addition to the
235 application fee described in subsection (c) of section 20-509, as
236 amended by this act, an initial fee of: [Four hundred fifty] Three
237 hundred dollars, in the case of certified appraisers; two hundred
238 twenty-five dollars, in the case of licensed appraisers and [tenured]
239 limited licensed appraisers; and fifty dollars, in the case of provisional
240 appraisers.

241 (b) All certifications, licenses, [tenured] limited licenses and
242 provisional licenses issued under the provisions of sections 20-500 to
243 20-528, inclusive, as amended by this act, shall expire [on the thirtieth
244 day of April each year] annually and be subject to renewal. The
245 renewal fee for certifications, licenses, [tenured] limited licenses and
246 provisional licenses, to be paid to the commission, shall be: [Three
247 hundred] Two hundred twenty-five dollars in the case of certified
248 appraisers; two hundred twenty-five dollars in the case of licensed and
249 [tenured] limited licensed appraisers; and fifty dollars, in the case of
250 provisional appraisers.

251 (c) In order for the commission to comply with federal law and
252 transmit a roster of real estate appraisers to the appropriate federal
253 regulatory entity, real estate appraisers shall pay to the Commissioner
254 of Consumer Protection, in addition to application and recordation
255 fees, an annual registry fee established by the commission.

256 (d) Any certification, license, [tenured] limited license or provisional
257 license which expires pursuant to this subsection may be reinstated by
258 the commission, if, not later than two years after the date of expiration,
259 the former certification holder, licensee, [tenured] limited licensee or
260 provisional licensee pays to the commission for each certification the

261 sum of [three hundred] two hundred twenty-five dollars, for each
262 license or [tenured] limited license the sum of two hundred twenty-
263 five dollars and for each provisional license the sum of fifty dollars for
264 each year or fraction thereof from the date of expiration of the previous
265 certification, license, [tenured] limited license or provisional license to
266 the date of payment for reinstatement, except that any certified,
267 licensed, [tenured] limited licensed or provisionally licensed appraiser
268 whose certification, license, [tenured] limited license or provisional
269 license expired after [his] entering military service shall be reinstated
270 without payment of any fee if an application for reinstatement is filed
271 with the commission within two years after the date of expiration. Any
272 such reinstated certification, license, [tenured] limited license or
273 provisional license shall expire [on the next succeeding April thirtieth]
274 annually. Any such reinstated certification, license, [tenured] limited
275 license or provisional license shall be subject to an annual renewal
276 thereafter.

277 (e) Any person whose application has been filed as provided in this
278 section and section 20-509, as amended by this act, who is refused a
279 certification, license, [tenured] limited license or provisional license
280 shall be given notice and afforded an opportunity for hearing as
281 provided in the regulations adopted by the Commissioner of
282 Consumer Protection.

283 Sec. 70. Section 20-513 of the general statutes is repealed and the
284 following is substituted in lieu thereof:

285 Any person holding a certification, license, [tenured] limited license
286 or provisional license under sections 20-500 to 20-528, inclusive, as
287 amended by this act, shall be permitted to perform the work covered
288 by such certification, license, [tenured] limited license or provisional
289 license in any municipality of this state without further examination or
290 the imposition of any additional requirements by such municipality.

291 Sec. 71. Section 20-514 of the general statutes is repealed and the
292 following is substituted in lieu thereof:

293 (a) No certification, license, [tenured] limited license or provisional
294 license, as the case may be, shall be denied by the commission under
295 sections 20-500 to 20-528, inclusive, as amended by this act, to any
296 applicant who has been convicted of forgery, embezzlement, obtaining
297 money under false pretenses, extortion, criminal conspiracy to
298 defraud, or other like offense or offenses, or to any association or
299 partnership of which such person is a member, or to any corporation
300 of which such person is an officer or in which as a stockholder such
301 person has or exercises a controlling interest either directly or
302 indirectly except in accordance with the provisions of section 46a-80.

303 (b) No certification, license, [tenured] limited license or provisional
304 license, as the case may be, shall be issued by the Department of
305 Consumer Protection under sections 20-500 to 20-528, inclusive, as
306 amended by this act, to any applicant (1) whose application for a
307 certification, license, [tenured] limited license or provisional license, as
308 the case may be, has, within one year prior to the date of [his] the
309 applicant's application, been rejected in this state, in any other state or
310 in the District of Columbia or (2) whose certification, license, [tenured]
311 limited license or provisional license, as the case may be, has, within
312 one year prior to the date of [his] the applicant's application, been
313 revoked in this state, in any other state or in the District of Columbia.

314 (c) No certification, license, [tenured] limited license or provisional
315 license, as the case may be, shall be issued under sections 20-500 to 20-
316 528, inclusive, as amended by this act, to any person who has not
317 attained the age of eighteen years.

318 Sec. 72. Section 20-515 of the general statutes is repealed and the
319 following is substituted in lieu thereof:

320 (a) A nonresident of this state may become a real estate appraiser by
321 conforming to all of the provisions of sections 20-500 to 20-528,
322 inclusive, as amended by this act. The commission shall recognize a
323 current, valid certification, license or provisional license, as the case
324 may be, issued to a currently practicing, competent real estate

325 appraiser by another state as satisfactorily qualifying [him] such
326 nonresident appraiser for a certification, license or provisional license,
327 as the case may be, as a real estate appraiser under said sections,
328 provided: (1) The laws of the state of which [he] such nonresident
329 appraiser is a resident require that applicants for certifications, licenses
330 or provisional licenses, as the case may be, as real estate appraiser
331 permit certifications, licenses or provisional licenses to be issued to
332 residents of this state, certified, licensed or provisionally licensed, as
333 the case may be, under said sections, without examination, and (2) the
334 certification, licensing and provisional licensing requirements of the
335 state of which [he] such nonresident appraiser is a resident are
336 substantially similar to, or higher than those of this state, including
337 establishment of competency by written examination in the case of
338 licensed and certified appraisers, and such appraiser has no
339 disciplinary proceeding or unresolved complaint pending against
340 [him] such nonresident appraiser. If the applicant is a resident of a
341 state which does not have such requirements, such applicant shall be
342 certified, licensed or provisionally licensed by a state in accordance
343 with Section 1116 of Title XI of FIRREA.

344 (b) Every nonresident applicant shall file an irrevocable consent that
345 suits and actions may be commenced against such applicant in the
346 proper court in any judicial district of the state in which a cause of
347 action may arise or in which the plaintiff may reside, by the service of
348 any process or pleading, authorized by the laws of this state, on the
349 chairman of the commission, such consent stipulating and agreeing
350 that such service of such process or pleading shall be taken and held in
351 all courts to be as valid and binding as if service had been made upon
352 such applicant in this state. If any process or pleadings mentioned in
353 this chapter are served upon the chairman of the commission, it shall
354 be by duplicate copies, one of which shall be filed in the office of the
355 commission, and the other immediately forwarded by registered or
356 certified mail, to the applicant against whom such process or pleadings
357 are directed, at the last-known address of such applicant as shown by
358 the records of the commission. No default in any such proceedings or

359 action shall be taken unless it appears by affidavit of the chairman of
360 the commission that a copy of the process or pleading was mailed to
361 the defendant as required in this subsection, and no judgment by
362 default shall be taken in any such action or proceeding within twenty
363 days after the date of mailing of such process or pleading to the
364 nonresident defendant.

365 (c) The Commissioner of Consumer Protection, with the advice and
366 assistance of the commission, pursuant to Section 1122(a) of Title XI of
367 FIRREA, shall adopt such reasonable regulations, in accordance with
368 chapter 54, as the commissioner deems necessary to effectuate
369 certification, licensing and provisional licensing of nonresident
370 appraisers. Such certification, licensing and provisional licensing shall
371 be recognized on a temporary basis in this state. The fee for a
372 temporary certification, license or provisional license shall be one
373 hundred [fifty] dollars. The temporary certification, license or
374 provisional license shall be effective for [ninety] one hundred eighty
375 days from issuance and [for only one appraisal assignment] may be
376 extended for one additional period not to exceed one hundred eighty
377 days for no additional fee.

378 Sec. 73. Section 20-516 of the general statutes is repealed and the
379 following is substituted in lieu thereof:

380 (a) The Department of Consumer Protection shall issue to each
381 certified, licensed, [tenured] limited licensed and provisional
382 appraiser, a certificate, in such size and form as it determines,
383 evidencing the real estate appraiser's status.

384 (b) A fee of twenty-five dollars shall be paid to the commission for
385 the issuance of a proof of certification, licensing, [tenured] limited
386 licensing or provisional licensing or a duplicate certification, license,
387 [tenured] limited license or provisional license certificate.

388 Sec. 74. Section 20-517 of the general statutes is repealed and the
389 following is substituted in lieu thereof:

390 (a) There is hereby established an annual renewal certification,
391 license, [tenured] limited license and provisional license to be issued
392 by the Department of Consumer Protection.

393 (b) The commission shall authorize the Department of Consumer
394 Protection to issue a renewal certification, license, [tenured] limited
395 license or provisional license, as the case may be, to any applicant who
396 possesses the qualifications specified and otherwise has complied with
397 the provisions of sections 20-500 to 20-528, inclusive, as amended by
398 this act, and any regulation adopted in conformity with said sections.

399 (c) Persons certified, licensed, [tenured] limited licensed or
400 provisionally licensed in accordance with the provisions of sections 20-
401 500 to 20-528, inclusive, as amended by this act, shall fulfill a
402 continuing education requirement. Applicants for an annual renewal
403 certification, license, [tenured] limited license or provisional license
404 shall, in addition to the other requirements imposed by the provisions
405 of said sections, biennially within any even-numbered year submit
406 proof of compliance with the continuing education requirements of
407 this subsection, if any, to the commission, accompanied by an eight-
408 dollar processing fee.

409 (d) The continuing education requirements for certified, licensed,
410 [tenured] limited licensed, or provisionally licensed appraisers shall be
411 satisfied by successful completion of the required number of hours of
412 classroom study, during the two-year period preceding such renewal
413 of certification, license, [tenured] limited license or provisional license
414 as provided by the commission or standards of the Appraiser
415 Qualification Board of the Appraisal Foundation, as the case may be.

416 (e) If the commission refuses to grant a renewal certification, license,
417 [tenured] limited license or provisional license, the certificate holder,
418 licensee, [tenured] limited licensee or provisional licensee, upon
419 written notice received as provided for in this chapter, may avail
420 himself or herself of any of the remedies provided by sections 20-511
421 and 20-520, as amended by this act.

422 (f) The Commissioner of Consumer Protection, in consultation with
423 the commission, shall adopt regulations in accordance with the
424 provisions of chapter 54, concerning the approval of schools,
425 institutions or organizations offering courses in current real estate or
426 real estate appraisal practices and licensing laws and the content of
427 such courses. Such regulations may include, but not be limited to: (1)
428 Specifications for meeting equivalent continuing educational
429 experience or study; (2) exceptions from continuing education
430 requirements for reasons of health or instances of individual hardship.

431 Sec. 75. Section 20-518 of the general statutes is repealed and the
432 following is substituted in lieu thereof:

433 The Department of Consumer Protection may, upon the request of
434 the commission or upon the verified complaint in writing of any
435 person, provided such complaint, or such complaint together with
436 evidence, documentary or otherwise, represented in connection with
437 such complaint, shall make out a prima facie case, investigate the
438 actions of any real estate appraiser or any person who assumes to act
439 in any of such capacities within this state. The commission shall have
440 the power temporarily to suspend or permanently to revoke any
441 certification, license, [tenured] limited license or provisional license, as
442 the case may be, issued under the provisions of sections 20-500 to 20-
443 528, inclusive, as amended by this act, and in addition to, or in lieu of,
444 such suspension or revocation, may, in its discretion, impose a fine of
445 not more than one thousand dollars for the first offense at any time
446 when, after proceedings as provided in section 20-519, as amended by
447 this act, it finds that the certification holder, licensee, [tenured] limited
448 licensee or provisional licensee has by false or fraudulent
449 misrepresentation obtained a certification, license, [tenured] limited
450 license or provisional license, as the case may be, or that the
451 certification holder, licensee, [tenured] limited licensee or provisional
452 licensee is guilty of any of the following: (1) Making any material
453 misrepresentation; (2) making any false promise of a character likely to
454 influence, persuade or induce; (3) acting for more than one party in a
455 transaction without the knowledge of all parties for whom he or she

456 acts; (4) conviction in a court of competent jurisdiction of this or any
457 other state of forgery, embezzlement, obtaining money under false
458 pretenses, larceny, extortion, conspiracy to defraud, or other like
459 offense or offenses, provided suspension or revocation under this
460 subdivision shall be subject to the provisions of section 46a-80; (5) any
461 act or conduct which constitutes dishonest, fraudulent or improper
462 dealings; (6) a violation of any provision of sections 20-500 to 20-528,
463 inclusive, as amended by this act, or any regulation adopted under
464 said sections.

465 Sec. 76. Section 20-519 of the general statutes is repealed and the
466 following is substituted in lieu thereof:

467 Before refusing, suspending or revoking any certification, license,
468 [tenured] limited license or provisional license, or imposing any fine,
469 the commission shall give notice and afford an opportunity for hearing
470 as provided in the regulations adopted by the Commissioner of
471 Consumer Protection.

472 Sec. 77. Section 20-521 of the general statutes is repealed and the
473 following is substituted in lieu thereof:

474 Any certification holder, licensee, [tenured] limited licensee or
475 provisional licensee convicted of a violation of any of the offenses
476 enumerated in subdivision (4) of section 20-518, as amended by this
477 act, shall incur a forfeiture of his or her certification, license, [tenured]
478 limited license or provisional license and all moneys that may have
479 been paid for such certification, license, [tenured] limited license or
480 provisional license. The clerk of any court in which such conviction has
481 been rendered shall forward to the commission without charge a
482 certified copy of such conviction. The commission, upon the receipt of
483 a copy of the judgment of conviction, shall, not later than ten days after
484 such receipt, notify the certification holder, licensee, [tenured] limited
485 licensee or provisional licensee, in writing, of the revocation of his or
486 her certification, license, [tenured] limited license or provisional
487 license, as the case may be, which notice shall be conclusive of such

488 revocation. Application for reinstatement of such certification, license,
489 [tenured] limited license or provisional license shall be subject to the
490 provisions of section 46a-80.

491 Sec. 78. Section 20-523 of the general statutes is repealed and the
492 following is substituted in lieu thereof:

493 (a) Any person who engages in the real estate appraisal business
494 without obtaining a certification, license, [tenured] limited license or
495 provisional license, as the case may be, as provided in sections 20-500
496 to 20-528, inclusive, as amended by this act, shall be fined not more
497 than one thousand dollars or imprisoned not more than six months or
498 both, and shall be ineligible to obtain a certification, license, [tenured]
499 limited license or provisional license for one year from the date of
500 conviction of such offense, except the commission, in its discretion,
501 may grant a certification, license, [tenured] limited license or
502 provisional license, as the case may be, to such person within such
503 one-year period upon application and after a hearing on such
504 application.

505 (b) No person who is not certified, licensed, [tenured] limited
506 licensed or provisionally licensed, as appropriate, by the commission
507 as a real estate appraiser shall represent himself or herself as being so
508 certified, licensed, [tenured] limited licensed or provisionally licensed
509 or use in connection with [his] such person's name or place of business
510 the term "real estate appraiser", "real estate appraisal", "certified
511 appraiser", "certified appraisal", "residential appraiser", "residential
512 appraisal", ["tenured] "limited licensed appraiser", "provisional
513 appraiser" or "provisional appraisal" or any words, letters,
514 abbreviations or insignia indicating or implying that [he] such person
515 is a certified, licensed, [tenured] limited licensed or provisionally
516 licensed, as appropriate, real estate appraiser in this state. Any person
517 who violates the provisions of this subsection shall be fined not more
518 than one thousand dollars or imprisoned not more than six months, or
519 both.

520 Sec. 79. Section 20-524 of the general statutes is repealed and the
521 following is substituted in lieu thereof:

522 The commission shall submit to the Governor, as provided in
523 section 4-60, a report of its official acts under sections 20-500 to 20-528,
524 inclusive, as amended by this act. The commission shall keep a record
525 of proceedings and orders pertaining to the matters under its
526 jurisdiction and of certifications, licenses, [tenured] limited licenses or
527 provisional licenses granted, refused, suspended or revoked by it and
528 of all reports sent to its office. The commission shall furnish without
529 charge, for official use only, certified copies of certifications, licenses,
530 [tenured] limited licenses, provisional licenses and documents relating
531 thereto, to officials of this state or any municipality in this state, to
532 officials of any other state and to any court in this state. Any certified
533 copy of any document or record of the commission, attested as a true
534 copy by the chairman of the commission, shall be competent evidence
535 in any court of this state of the facts contained in such document or
536 record.

537 Sec. 80. Section 20-525 of the general statutes is repealed and the
538 following is substituted in lieu thereof:

539 The Department of Consumer Protection, at the request of the
540 commission, may periodically compile and publish a bulletin
541 containing information and material relating to the commission, its
542 functions and certifications, licenses, [tenured] limited licenses,
543 provisional licenses and other information and material relating to the
544 real estate appraisal industry which might be of help and interest to
545 certificate holders, licensees, [tenured] limited licensees or provisional
546 licensees in their service of the public. The commission may also
547 request the department to publish such information and material in
548 any established periodical published in the state if, in the opinion of
549 the commission, such form of publication would ensure the widest
550 dissemination of such information and material to certification holders,
551 licensees, [tenured] limited licensees and provisional licensees and the
552 public.

553 Sec. 81. Section 20-526 of the general statutes is repealed and the
554 following is substituted in lieu thereof:

555 The provisions of sections 20-500 to 20-528, inclusive, as amended
556 by this act, concerning the certification, licensing, [tenured] limited
557 licensing or provisional licensing of real estate appraisers shall not
558 apply to (1) any person under contract with a municipality who
559 performs a revaluation of real estate for assessment purposes pursuant
560 to section 12-62, as amended, and (2) any licensed real estate broker or
561 real estate salesperson who estimates the value of real estate as part of
562 a market analysis performed for the purpose of (A) a prospective
563 listing or sale of such real estate, (B) providing information to the seller
564 or landlord under a listing agreement, or (C) providing information to
565 a prospective buyer or tenant under a buyer or tenant agency
566 agreement, provided such estimate of value shall not be referred to or
567 be construed as an appraisal.

568 Sec. 82. (NEW) (a) As used in this section and subsection (a) of
569 section 30-91 of the general statutes, as amended by this act:

570 (1) "Casino" means the premises upon which a gaming facility is
571 operated with other facilities, including, but not limited to, restaurants,
572 hotels, nightclubs, bingo halls or convention centers; and

573 (2) "Gaming facility" means a room or rooms in which class III
574 gaming, as defined in the Indian Gaming Regulatory Act, P.L. 100-497,
575 25 USC 2701, et seq., is legally conducted.

576 (b) A casino permit shall allow the retail sale of alcoholic liquor to
577 be consumed on the premises of a casino.

578 (c) A casino permit shall allow the manufacture, storage and
579 bottling of beer to be consumed on the premises with or without the
580 sale of food, provided the holder of a casino permit produces at least
581 five thousand gallons of beer on the premises annually.

582 (d) A casino permit shall allow the retail sale of alcoholic liquor by

583 means of a guest bar located in hotel guest rooms provided such guest
584 bar is: (1) Accessible only by key, magnetic card or similar device
585 provided by the hotel to a registered guest twenty-one years of age or
586 older; and (2) restocked no earlier than nine o'clock a.m. and no later
587 than one o'clock a.m.

588 (e) The annual fee for a casino permit shall be two thousand four
589 hundred dollars plus an additional fifty dollars for each guest room
590 containing a guest bar.

591 Sec. 83. Subsection (a) of section 30-91 of the general statutes is
592 repealed and the following is substituted in lieu thereof:

593 (a) The sale or the dispensing or consumption or the presence in
594 glasses or other receptacles suitable to permit the consumption of
595 alcoholic liquor by an individual in places operating under hotel
596 permits, restaurant permits, cafe permits, restaurant permits for
597 catering establishments, bowling establishment permits, racquetball
598 facility permits, club permits, coliseum permits, coliseum concession
599 permits, special sporting facility restaurant permits, special sporting
600 facility employee recreational permits, special sporting facility guest
601 permits, special sporting facility concession permits, special sporting
602 facility bar permits, golf country club permits, nonprofit public
603 museum permits, university permits, airport restaurant permits,
604 airport bar permits, airport airline club permits, tavern permits, a
605 manufacturer permit for a brew pub, casino permits and charitable
606 organization permits shall be unlawful on:

607 (1) Monday, Tuesday, Wednesday, Thursday and Friday between
608 the hours of one o'clock a.m. and nine o'clock a.m.;

609 (2) Saturday between the hours of two o'clock a.m. and nine o'clock
610 a.m.;

611 (3) Sunday between the hours of two o'clock a.m. and eleven o'clock
612 a.m.;

613 (4) Christmas, except (A) for alcoholic liquor that is served with hot
614 meals during the hours otherwise permitted by this section for the day
615 on which Christmas falls, and (B) by casino permittees at casinos, as
616 defined in section 82 of this act; and

617 (5) January first between the hours of three o'clock a.m. and nine
618 o'clock a.m., except that on any Sunday that is January first the
619 prohibitions of this section shall be between the hours of three o'clock
620 a.m. and eleven o'clock a.m.

621 Sec. 84. Section 23-4 of the general statutes is repealed and the
622 following is substituted in lieu thereof:

623 The Commissioner of Environmental Protection may adopt
624 regulations in accordance with the provisions of chapter 54 for the
625 maintenance of order, safety and sanitation upon the lands in his
626 control and for the protection of trees and other property and the
627 preservation of the natural beauty thereof and fix penalties not
628 exceeding a fine of ninety dollars for violation of such regulations.
629 Such regulations shall not prohibit the possession or drinking of
630 alcoholic beverages in state parks, except on state beaches and state
631 boardwalks. Such regulations shall be posted in conspicuous places
632 upon such lands. Any person who violates any such regulation shall
633 have committed an infraction and may pay the fine by mail or plead
634 not guilty under the provisions of section 51-164n. The provisions of
635 section 51-164m shall not apply to this section. Any person convicted
636 of a violation of such regulations or who forfeits a bond taken upon
637 any such complaint may be prohibited from entering any state park by
638 the commissioner for not more than one year from the date of such
639 conviction."

640 Strike lines 2005 to 2014, inclusive, in their entirety